

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GRUBER - 4 PCT

SERIAL NO.: 10/589,634

EXAMINER: Robert J. MCCARRY, JR.

FILED: AUGUST 7, 2007

GROUP: 3617

TITLE: TIE FOR A BALLASTED TRACK

REQUEST FOR FURTHER CORRECTED FILING RECEIPT**MAIL STOP: PCT****Attention: Legal Office**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Commissioner:

Attached is a copy of the Corrected Filing Receipt received from the Patent and Trademark Office in the above-identified application, which is in need of correction, as follows:

**Under "Assignment for Published Patent Application":**

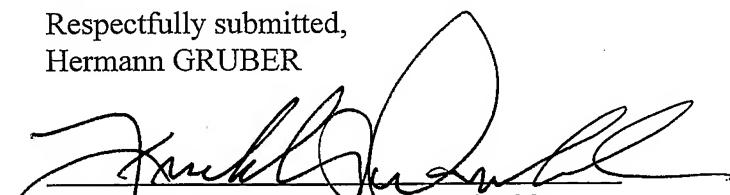
SSL-SCHWELLENWERK UND STEUERUNGSTECHNIK LINZ GMH, WIEN, AUSTRIA

should be corrected to read:

SSL-SCHWELLENWERK UND STEUERUNGSTECHNIK LINZ GMBH, WIEN, AUSTRIA

It is respectfully requested that a further corrected filing receipt be issued. As this error was on the part of the PTO as evidenced by the enclosed executed Assignment with Notice of Recordation, which was recorded on August 9, 2007, under Reel 019710, Frame 0299, no fee should be associated with this request; however, if there should be a fee the Commissioner is hereby authorized to charge Deposit Account No. 03-2468.

Respectfully submitted,  
Hermann GRUBER

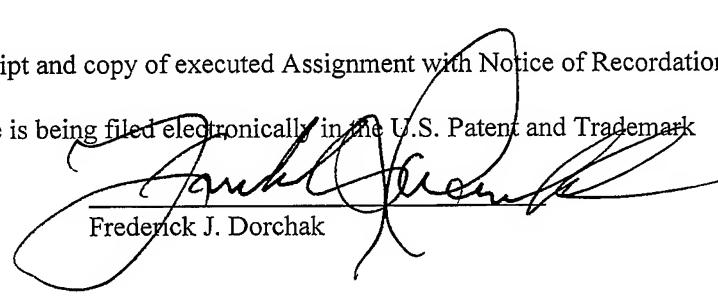
  
Frederick J. Dorchak, Reg. No. 29,298  
Elizabeth C. Richter, Reg. No. 35,103  
Attorneys for Applicant

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

cmp

Enclosures: copy of Corrected Filing Receipt and copy of executed Assignment with Notice of Recordation

I hereby certify that this correspondence is being filed electronically in the U.S. Patent and Trademark Office on July 29, 2010.

  
Frederick J. Dorchak



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/589,634	08/07/2007	3617	1410	GRUBER-4 PCT	25	1

**CONFIRMATION NO. 9684**

25889  
COLLARD & ROE, P.C.  
1077 NORTHERN BOULEVARD  
ROSLYN, NY 11576

**CORRECTED FILING RECEIPT**



\*OC000000030106750\*

Date Mailed: 05/22/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

**Applicant(s)**

Hermann Gruber, Neuhaus, AUSTRIA;

GMBH,

**Assignment For Published Patent Application**

SSL-SCHWELLENWERK UND STEUERUNGSTECHNIK LINZ [GMH], WIEN, AUSTRIA

**Power of Attorney:** The patent practitioners associated with Customer Number 25889

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/AT05/00046 02/14/2005

**Foreign Applications**

AUSTRIA A 238/2004 02/16/2004

**If Required, Foreign Filing License Granted:** 01/20/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/589,634**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Tie for a Ballasted Track

**Preliminary Class**

238

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 17, 2007

PTAS



\*103436077A\*

COLLARD & ROE, P.C.  
1077 NORTHERN BOULEVARD  
ROSLYN, NY 11576

### UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
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CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 08/09/2007

REEL/FRAME: 019710/0299  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:  
GRUBER, HERMANN

DOC DATE: 03/06/2007

ASSIGNEE:  
SSL-SCHWELLENWERK UND  
STEUERUNGSTECHNIK LINZ GMBH  
STADIONGASSE 6-8  
A-1010 WIEN, AUSTRIA

SERIAL NUMBER: 10589634  
PATENT NUMBER:  
TITLE: TIE FOR A BALLASTED TRACK

FILING DATE:  
ISSUE DATE:

019710/0299 PAGE 2

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

08-13-2007

FORM PTO-1595  
1-31-92U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner

103436077

attached original documents or copy thereof.

## 1. Name of Conveying party(ies):

**Hermann GRUBER**Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

8-9-07

 Assignment  Merger Security Agreement  Change of Name Other \_\_\_\_\_Execution Date: March 6, 2007

## 2. Name and address of receiving party(ies):

Name: SSL-Schwellenwerk und Steuerungstechnik  
Linz GmbHStreet Address: Stadiongasse 6-8  
A-1010 Wien, AustriaAdditional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

U.S. Serial No. 10/589,634 .

PCT/AT2005/000046 filed February 14, 2005

## B. Patent No.(s)

Additional numbers attached?  Yes  No5. Name and address of party to whom correspondence  
should be mailed:Name: Collard & Roe, P.C.

Internal Address: \_\_\_\_\_

Street Address: 1077 Northern BoulevardCity: Roslyn State: NY ZIP: 11576

08/10/2007 DBYRNE 0000005 032468 10589634

01 FC:8021 40.00 DA

6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): ..... \$ 40.00 Enclosed Authorized to be charged to deposit account8. Deposit account number: 03-2468

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and Signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Edward R. Freedman

Name of Person Signing

Signature

August 7, 2007

Date

Total number of pages including cover sheet, attachments, and document: 2

# ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and  
address of  
assignee

SSL-Schwellenwerk und Steuerungstechnik Linz GmbH  
Stadiongasse 6-8  
A-1010 Wien  
Austria (AT)

title of  
invention

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to his invention relating to

Tie for a ballasted track

check one

as set forth in his United States Patent Application

executed concurrently herewith

executed on

Serial No. 10/589,634 filed 16 August 2006

(corr. to. Int. appl. no. PCT/AT 2005/000046, Int. filing date: 14 February 2005)

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees that at any time upon request of said ASSIGNEE, its successors, legal representatives or assigns he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of COLLARD & ROE, P.C., 1077 Northern Boulevard, Roslyn, New York 11576, U.S.A., the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

Name: Hermann GRUBER

Name:

names and  
signatures  
of inventors

Date: March 6, 2007

Date:

Name:

Date: